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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/651,586	08/29/2003	Dennis York	TRMB1412	9289

7590 06/29/2005

WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

EXAMINER

KNAPP, JUSTIN R

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/651,586

Applicant(s)

YORK, DENNIS

Examiner

Justin Knapp

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 and 13-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross et al (Ross), USPN 5,859,628.

3. As per claim 1, Ross teaches a processing unit for an electronic instrument comprising:

a signal/data processor (figure 2, element 102, PDA will inherently have a processor as it essential for functionality of the PDA);

an exposed external electrical contact for receiving electric power input (figure 5, element 510);

an exposed external electrical contact for receiving an electric signal input (figure 2, element 206);

an exposed external electrical contact for transmitting an electrical signal output (figure 2, element 206); and

a housing comprising mechanical retention features for securely attaching a battery/input/output module (see figure 5, housing of PDA 102 securely attaches to battery/input/output module 104).

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4. As per claims 2-4, 6, and 7, Ross teaches wherein said processing unit comprises a memory (inherent that all PDA's have internal memory to store the operating system and other programs as it is essential for functionality of the PDA), keypad (figure 2, 4-way navigation and A and B buttons comprise a keypad), microprocessor (inherent that the PDA has a microprocessor as it is essential for functionality of the PDA), and touch panel display (figure 2, element 202).

5. As per claim 5, Ross teaches wherein the contacts may be sealed through the attachment of a cover to the surface of said housing (element 206 provides contacts in a card slot which is able to be covered).

6. As per claim 8, Ross teaches a battery/input/output module comprising:
a storage device for electric energy (figure 1, element 114);
an exposed external electrical contact for transmitting electric power (figure 1, element 108);

an exposed external electrical contract for receiving an electric signal input (figure 5, element 504);

an exposed external electrical contact for transmitting an electrical signal output (figure 5, element 504);

a housing comprising mechanical retention features for securely attaching a processing unit (see figure 5, housing of module 104 securely attaches to processing unit 102).

7. As per claim 9, Ross teaches wherein the contacts may be sealed through attachment of a cover to the surface of the housing (card slot covers for card slots 504 are able to cover the contacts).

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8. As per claim 13, Ross teaches further comprising an embedded inductive charger for said energy storage device (column 3, lines 27-62).
9. As per claim 14, Ross teaches further comprising a power input port for charging said energy storage device (column 3, lines 27-62).
10. As per claim 15, Ross teaches a processing unit coupled to a battery/input/output module (figure 5 shows processing unit 102 couples to battery/input/output module 104).
11. As per claim 16, Ross teaches wherein said portable electronic instrument is sealed (element 102 coupled to element 104 provides a sealed unit).
12. As per claim 17, Ross teaches wherein said portable electronic instrument may be powered by coupling an external power source to said battery/input/output module (column 3, lines 27-62).
13. As per claim 18, Ross teaches wherein said external power source may be inductively coupled to said battery/input/output module (column 3, lines 27-62).
14. As per claim 19, Ross teaches wherein said portable electronic instrument is a handheld computer (figure 1, element 102).
15. As per claim 20, Ross teaches wherein said portable electronic instrument comprises a GPS (column 8, lines 20-25).

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Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ross.

18. As per claims 10-12, Applicant's numerous ports (serial, parallel, wireless) connected to the electrical contacts is construed to be an admission that the criticality does not reside in the type of port utilized and hence obvious variants of one another. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an assortment of ports as it would increase the flexibility of the system.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made. Applicant must also show how the amendments avoid such references.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Knapp whose telephone number is (571)272-4149. The examiner can normally be reached on Mon - Fri 8:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on (571)272-4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Justin Knapp
Examiner
Art Unit 2182

June 24, 2005


KIM HUYNH
PRIMARY EXAMINER

6/27/05